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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,473	01/29/2004	Kenichi Saito	008312-0307979	3737
909	7590	06/28/2005	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			LA, ANH V	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			2636	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/766,473

Applicant(s)

SAITO ET AL.

Examiner

Anh V. La

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/29/04, 4/11/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, 10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Cortopassi.

Regarding claim 1, Cortopassi discloses an information processing apparatus comprising means 94 for disabling an output of sound information, means 101, 102, 103, 104 for detecting a state of the sound information, and means for notifying 92 a user of the state of the sound information detected with the means for detecting the state by using information other than a sound.

Regarding claim 2, Cortopassi discloses means for detecting the state detecting the state of the sound information is in a case where the means for disabling the output is active (column 5, line 30- col. 6, line 52).

Regarding claim 3, Cortopassi discloses means for notifying the users notifying the users of the state of the sound information in a case where the means for disabling the output is active (column 5, line 30- col. 6, line 52).

Regarding claim 4, Cortopassi discloses analog sound information or digital sound information (fig. 5).

Regarding claim 5, Cortopassi discloses a sound controller connected to a CPU via a bus, controlling input and output of digital sound information via the bus and controlling input and output of analog sound information (fig. 5), and means for sensing a state of the sound information which is inputted or outputted by the sound controller (col. 5, line 30- col. 5, line 53), wherein the means 92 for notifying the user notifying the user of the state of the sound information detected by means for sensing the state.

Regarding claim 6, Cortopassi discloses means 94 for sensing a sound output state of the sound information outputted from the sound controller 108, and an input/output controller 101.

Regarding claim 7, Cortopassi discloses means for emitting light (col. 5, lines 55-65).

Regarding claim 10, Cortopassi discloses a sound mute circuit (col. 5, line 30- col. 6, line 52, fig. 6).

Regarding claim 11, Cortopassi discloses a method for notifying a state of an information processing apparatus which handles sound information, comprising detecting 94 a state of a sound information handled by the information processing 101, and notifying 92 the state of the detected sound information.

Regarding claim 12, Cortopassi discloses means 94 for outputting a sound and means for disabling a sound output of the sound outputting means (col. 5, line 30-col. 6, line 52), wherein notifying the state of the sound information notifying a state of the sound information detected by detecting a state of the sound information when a sound

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output of the means for outputting the sound is disabled by the means for disabling the sound output.

Regarding claim 13, Cortopassi discloses means 94 for outputting a sound and means for disabling a sound output of the sound outputting means (col. 5, line 30-col. 6, line 52), wherein notifying the state of the sound information notifying a state of the sound information detected by detecting a state of the sound information regardless of an operation state of the means for disabling the sound output when a sound output of the means for outputting the sound is disabled by the means for disabling the sound output.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cortopassi in view of Kubes.

Regarding claim 8, Cortopassi discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose vibrating means. Kubes teaches a choice of using vibrating indicator, audible or visual indicators (abstract). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include vibrating means to the apparatus of Cortopassi as taught by Kubes for the purpose of silently indicating an alarm signal.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cortopassi in view of Podwalny.

Regarding claim 9, Cortopassi discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose displaying the state of sound information on a display screen. Podwalny teaches displaying the state of sound information on a display screen. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include display the state of sound information on a display screen to the apparatus of Cortopassi as taught by Podwalny for the purpose of indicating a notifying signal.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bodnar and Alloul teach message status display systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2636

AI
June 22, 2005